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Attorneys for Plaintiff
PNC EQUIPMENT FINANCE, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PNC EQUIPMENT FINANCE, LLC,
a Delaware limited liability company,
as successor to NATIONAL CITY
COMMERCIAL CAPITAL
CORPORATION,

Plaintiff,

vs.

CALIFORNIA FAIRS FINANCING
AUTHORITY, a California joint
powers authority; 49TH DISTRICT
AGRICULTURAL ASSOCIATION, a
state institution of the State of California;
COUNTY OF MARIN, a political
subdivision of the State of California;
SONOMA COUNTY FAIR AND
EXPOSITION, INC., a California
corporation; and NAPA COUNTY FAIR
ASSOCIATION, a California corporation,

Defendants.

Case No. CV 11-03768 JSC

**STIPULATION FOR PARTIAL
DISMISSAL BETWEEN PLAINTIFF
PNC EQUIPMENT FINANCE, LLC
AND DEFENDANTS CALIFORNIA
FAIRS FINANCING AUTHORITY AND
49TH DISTRICT AGRICULTURAL
ASSOCIATION**

Pursuant to a partial settlement of the above-captioned action, which concludes the entire action, it is hereby stipulated by and between Plaintiff PNC Equipment Finance, LLC ("PNCEF") and Defendants California Fairs Financing Authority ("CFFA") and 49th District Agricultural Association ("49th DAA") that the above-captioned action may be partially dismissed as follows:

1. The first, second and tenth claims for relief in PNCEF's First Amended Complaint shall be dismissed without prejudice as to the 49th DAA.

2. The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and fourteenth claims for relief in PNCEF's First Amended Complaint shall be dismissed without prejudice as to CFFA.

3. Each party shall bear its own costs, including attorney's fees, with respect to the claims being dismissed hereby.

4. This partial dismissal shall not affect PNCEF's claims against any other parties, nor shall it affect PNCEF's claims against CFFA except to the extent expressly provided for herein.

5. This partial dismissal shall not affect CFFA's claims against any other parties, nor shall it affect CFFA's claims against PNCEF except to the extent expressly provided for herein.

DATED: October 19, 2012

LEO D. PLOTKIN
LEVY, SMALL & LALLAS
A Partnership Including Professional Corporations

By: /s/ Leo D. Plotkin
LEO D. PLOTKIN
Attorneys for Plaintiff
PNC Equipment Finance, LLC

DATED: October 19, 2012

HAL REILAND
REILAND/LAW

By: /s/ Hal Reiland
HAL REILAND
Attorneys for Defendants
California Fairs Financing Authority and 49th
District Agricultural Association


28494-4

ORDER

Good cause appearing, and the parties having stipulated, IT IS HEREBY ORDERED:

1. The first, second and tenth claims for relief in PNCEF's First Amended Complaint shall be, and hereby are, dismissed without prejudice as to the 49th DAA.
2. The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and fourteenth claims for relief in PNCEF's First Amended Complaint shall be, and hereby are, dismissed without prejudice as to CFFA.
3. As a result of the dismissals so ordered herein, all claims against all defendants have now been dismissed pursuant to settlement, and the entire action accordingly is dismissed (as to each defendant, with or without prejudice as set forth in Stipulations for Partial Dismissal heretofore filed). The court retains jurisdiction to enforce any of the settlements between the parties.
4. Each party shall bear its own costs, including attorney's fees, with respect to the claims being dismissed hereby.
5. This dismissal shall not affect PNCEF's claims against any other parties, nor shall it affect PNCEF's claims against CFFA except to the extent expressly provided for herein.
6. This dismissal shall not affect CFFA's claims against any other parties, nor shall it affect CFFA's claims against PNCEF except to the extent expressly provided for herein.

DATED: OCTOBER 22, 2012



THE HONORABLE JACQUELINE S. CORLEY
UNITED STATES MAGISTRATE